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REMARKS

Claims 8-15 have been canceled. Claims 1-7 remain pending in the application.

Applicants amend claim 1 for clarification. No new matter has been added.

Applicants respectfully request that the Examiner acknowledge receipt of all certified copies of the priority documents for this application.

Claims 1-5 and 7 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 3,750,022 to Curry et al. in view of U.S. Patent No. 5,987,069 to Furukawa et al.; and claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Curry et al. in view of Furukawa et al., and further in view of U.S. Patent No. 6,385,773 to Schwartzman et al. Applicants amend claim 1 in a good faith effort to further clarify the invention as distinguished from the cited references. Applicants respectfully traverse the rejections.

The Examiner cited col. 3, lines 59-65 and col. 20, lines 15-30 of Curry et al. as alleged disclosure of the tone signal features recited in claims 2 and 3. The cited portions of Curry et al. only describe, however, an upper pilot tone for testing or control purposes and noise measurements commanded by the LPC 16 in the Head End via control lines. Such portions of Curry et al. do not describe how the pilot tone would be used "for testing or control purposes." Thus, the cited portions of Curry et al. do not disclose or suggest the claimed feature of inserting a tone signal into downward signals to prompt a noise control device to boost a transmission level. Indeed, as shown in col. 20, lines 15-30 of Curry et al. and as discussed before in the previous response, Curry et al. describe control lines for issuing commands from the LPC 16 in the Head End for noise measurements and "other command functions." Thus, Curry et al. teaches away from inserting a tone signal for the claimed feature of boosting a transmission level at a noise control device.

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The Examiner cited Furukawa et al. as a new combining reference that alleged discloses the claimed features related to controlling signal attenuation based on noise measurements between a center and a terminal. Furukawa et al. describe a technique for allocating upstream and downstream portions of a frequency spectrum based on line conditions, such as noise and interference, using a bidirectional transceiver. As such, Furukawa et al. would not cure the above-described deficiencies of Curry et al. even assuming, arguendo, that it would have been obvious at the time the claimed invention was made to combine these references.

In other words, Curry et al. and Furukawa et al., as applied by the Examiner, fail to disclose or suggest,

“[a] system for reducing noise in a signal line, through which upward signals and downward signals are transmitted between a center and terminals, comprising:

a noise-reduction device, provided between the center and the terminals, which detects a noise increase regarding the upward signals on the signal line spontaneously without a noise measurement command from the center to generate a control signal indicative of the noise increase, and is directly triggered by said control signal to insert a tone signal into the downward signals and to attenuate the upward signals by an increased amount without transmitting the control signal to the center; and

a noise-control device, provided at the terminals, which responds to the tone signal sent from the noise-reduction device by boosting a transmission level of the upward signals by an amount compensating for the attenuation of the upward signals by said noise-reduction device,” as recited in amended claim 1. (Emphasis added)

Accordingly, Applicants respectfully submit that claim 1, together with claims 2-5 and 7 dependent therefrom, is patentable over Curry et al. and Furukawa et al., separately and in combination, for at least the above-stated reasons. The Examiner relied upon Schwartzman et al. as a combining reference to specifically address the additional features recited in dependent claim 6. Therefore, the additional combination of Schwartzman et al. would still have failed to

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overcome the above-described deficiencies of Curry et al. and Furukawa et al. with respect to base claim 1. For at least this reason, claim 6 is patentable over the cited references.

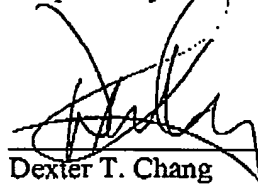
The above statements on the disclosures in the cited references represent the present opinions of the undersigned attorney. The Examiner is respectfully requested to specifically indicate those portions of the respective reference that provide the basis for a view contrary to any of the above-stated opinions.

Applicants appreciate the Examiner's implicit finding that the additional references made of record, but not applied, do not render the claims of the present application unpatentable, whether these references are considered alone or in combination with others.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,



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